

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LYNN SILKER-MARAS,

Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of Social
Security,

Defendant.

No. 05-CV-0090-MWL

ORDER FOR STIPULATED REMAND

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 14). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 4). After considering the stipulation,

IT IS ORDERED that the above-captioned case be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, an administrative law judge (ALJ) will re-evaluate the medical evidence as a whole and in particular the opinion of Dr. Bot. The ALJ will re-evaluate Plaintiff's residual functional capacity. The ALJ will perform a new step four, and if necessary, step five analyses. The ALJ may perform further development and conduct further proceedings as necessary.

1 The court reverses the Commissioner's decision under sentence
2 four of 42 U.S.C. 405(g) with a remand of the cause to the
3 Commissioner for further proceedings. *See Melkonyan v. Sullivan*,
4 501 U.S. 89 (1991).

5 **IT IS FURTHER ORDERED:** Judgment shall be entered for the
6 **PLAINTIFF**. An application for attorney fees may be filed by
7 separate motion. The District Court Executive is directed to
8 enter this Order, forward copies to counsel, and thereafter shall
9 close this file.

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11 DATED this 24th day of October 2005.

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13 S/ Michael W. Leavitt
14 MICHAEL W. LEAVITT
15 UNITED STATE MAGISTRATE JUDGE
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